

**UNITED STATES OF AMERICA  
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**CHAIRMAN:**  
Judge Wm. Terrell Hodges  
United States District Court  
Middle District of Florida

**MEMBERS:**  
Judge John F. Keenan  
United States District Court  
Southern District of New York

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

**DIRECT REPLY TO:**

Michael J. Beck  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20002

Telephone: [202] 502-2800  
Fax: [202] 502-2888

<http://www.jpml.uscourts.gov>

**RECEIVED  
BY MAIL**

NOV 04 2005

**U. S. DISTRICT COURT  
EASTERN DISTRICT OF MO  
ST. LOUIS**

Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge J. Frederick Motz  
United States District Court  
District of Maryland

Judge Kathryn H. Vrtil  
United States District Court  
District of Kansas

Judge David R. Hansen  
United States Court of Appeals  
Eighth Circuit

October 31, 2005

Richard Sletten, Clerk  
202 U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415

Re: MDL-1431 -- In re Baycol Products Liability Litigation

*Tom Bair, et al. v. Bayer Pharmaceuticals Corp.*, E.D. Missouri, C.A. No. 4:05-1525 **RWS**  
*Lonnie Casto, et al. v. Bayer Pharmaceuticals Corp.*, E.D. Missouri, C.A. No. 4:05-1526 **CAS**  
*Elaine Demery, et al. v. Bayer Pharmaceuticals Corp.*, E.D. Missouri, C.A. No. 4:05-1527 **CEJ**  
*Betty Asher, et al. v. Bayer Pharmaceuticals Corp.*, E.D. Missouri, C.A. No. 4:05-1528 **RWS**

Dear Mr. Sletten:

I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on October 13, 2005. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Michael J. Beck  
Clerk of the Panel

By Dana L. Stewart  
Deputy Clerk

Attachment

cc: Transferee Judge: Judge Michael J. Davis  
Transferor Judges: Judge Frederick R. Buckles; Judge Carol E. Jackson; Judge Rodney W. Sippel  
Transferor Clerk: James Woodward

OCT 13 2005

FILED  
CLERK'S OFFICE

**DOCKET NO. 1431**

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**IN RE BAYCOL PRODUCTS LIABILITY LITIGATION**

*Tom Bair, et al. v. Bayer Pharmaceuticals Corp.*, E.D. Missouri, C.A. No. 4:05-1525  
*Lonnie Casto, et al. v. Bayer Pharmaceuticals Corp.*, E.D. Missouri, C.A. No. 4:05-1526  
*Elaine Demery, et al. v. Bayer Pharmaceuticals Corp.*, E.D. Missouri, C.A. No. 4:05-1527  
*Betty Asher, et al. v. Bayer Pharmaceuticals Corp.*, E.D. Missouri, C.A. No. 4:05-1528

**CONDITIONAL TRANSFER ORDER (CTO-64)**

On December 18, 2001, the Panel transferred 33 civil actions to the United States District Court for the District of Minnesota for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 6,739 additional actions have been transferred to the District of Minnesota. With the consent of that court, all such actions have been assigned to the Honorable Michael J. Davis.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the District of Minnesota and assigned to Judge Davis.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of Minnesota for the reasons stated in the order of December 18, 2001, 180 F.Supp.2d 1378 (J.P.M.L. 2001), and, with the consent of that court, assigned to the Honorable Michael J. Davis.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Minnesota. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Michael J. Beck  
Michael J. Beck  
Clerk of the Panel

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

OCT 31 2005

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

**INVOLVED COUNSEL LIST (CTO-64)**  
**DOCKET NO. 1431**  
**IN RE BAYCOL PRODUCTS LIABILITY LITIGATION**

David W. Bauman  
David Danis Law Firm, P.C.  
8235 Forsyth  
Suite 1100  
St. Louis, MO 63105

Philip S. Beck  
Bartlit, Beck, Herman, Palenchar & Scott  
54 West Hubbard Place  
Suite 300  
Chicago, IL 60610

John J. Carey  
Carey & Danis, LLC  
8235 Forsyth Boulevard  
Suite 1100  
St. Louis, MO 63105

Adam L. Hoeflich  
Bartlit, Beck, Herman, Palenchar & Scott  
54 West Hubbard Street  
Courthouse Place  
Chicago, IL 60610

Dale I. Larson  
Larson & King, LLP  
2800 MN World Trade Center  
30 East Seventh St.  
St. Paul, MN 55101

Terry R. Lueckenhoff  
Williams, Venker & Sanders, LLC  
Ten South Broadway  
Suite 1600  
St. Louis, MO 63102-2740

Fred T. Magaziner  
Dechert, LLP  
4000 Bell Atlantic Tower  
1717 Arch Street  
Philadelphia, PA 19103-2793

Arthur Sadin  
Sadin Law Firm, P.C.  
1104 S. Friendship Drive  
Suite A  
Friendswood, TX 77546

Steven A. Schwartz  
Chimicles & Tikellis, LLP  
One Haverford Centre  
361 West Lancaster Avenue  
Haverford, PA 19041